

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29866 of 2015

Arising Out of PS.Case No. -434 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

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Gaffar Mian, son of Jabbar Mian, resident of Gammharia, P.S. Sour Bazar,
District-Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha

For the Opposite Party/s : Mr. Amrendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 341, 323, 324, 379, 504, 506 and 302 of the Indian Penal Code.

Allegation against the petitioner is that he along with other accused persons came at the cycle shop of the informant and assaulted him with farsa on his head. Another accused Saukat attacked his father with handle of the hand pump. The reason of dispute is flow of water from the hand pump.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He is in custody since 3.12.2014. Chargesheet has been submitted in the case. There is no allegation of tampering of evidence against the petitioner. It is a case and counter case. There is allegation of single blow made by the petitioner. There is no repetition of blow. It is a case at best for an offence under Section 304 of the Indian Penal Code. It is further submitted that petitioner may be released after completion of one year in custody from 3.12.2014.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail after completion of one year in custody from 3.12.2014 on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S. Case no. 434 of 2014.

(Sudhir Singh, J)

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